

**REMARKS**

In the Restriction Requirement mailed March 3, 2006, the Examiner has restricted the claims to one of the following inventions under 35 U.S.C. 121:

- I. Claims 1-37, drawn to a microarray, classified in class 435, subclass 287.2.
- II. Claims 38-102, drawn to method of making a microarray, classified in class 435, subclass 174.

Applicant elects, with traverse, the claims of Group I (claims 1-37).

**Election of Species**

The Restriction Requirement further makes an election of species requirement, specifically:

- 1) Claims 38-75 an oxidized surface treated to form an amine surface, and
- 2) Claims 76-102 a metal surface treated to form a thiolated amine.

It is submitted that this requirement for election of species is moot, since claims 38-102 have not been elected.

**RESPONSE TO RESTRICTION REQUIREMENT**

Serial Number: 10/643,871

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Title: METHODS FOR COVALENTLY ATTACHING PROTEINS TO SUBSTRATES

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Dkt: 1863.062US1

**CONCLUSION**

Applicant respectfully submits that the claims are in condition for allowance, and notification to that effect is earnestly requested. The Examiner is invited to telephone Applicant's attorney at (516) 795-6820 to facilitate prosecution of this application.

If necessary, please charge any additional fees or credit overpayment to Deposit Account No. 19-0743.

Respectfully submitted,

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By their Representatives,

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Date May 3, 2006

By Thomas J. Brennan, Reg. No. 35,075  
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**CERTIFICATE UNDER 37 CFR 1.8:** The undersigned hereby certifies that this correspondence is being deposited with the United States Postal Service with sufficient postage as first class mail, in an envelope addressed to: Mail Stop Amendment, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on this 3<sup>rd</sup> day of May, 2006.

CANDIS BUENDING

Name

Signature

